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October 29, 2003

**VIA FACSIMILE AND HAND DELIVERY**

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

Tracie D. Spear  
202.778.9390  
Fax: 202.778.9100  
tspear@kl.com

**Re: Docket No. AB-33 (Sub-No. 210X), Union Pacific Railroad Company –  
Abandonment Exemption – In Maricopa County, Arizona (Creamery Spur)**

Dear Secretary Williams:

On October 6, 2003, the City of Tempe (the "City") filed with the Surface Transportation Board a **Letter Requesting Issuance of a Notice of Interim Trail Use ("NITU")**, pursuant to 49 C.F.R. § 1152.29. The purpose of this letter is to amend the description of the property for which the City seeks issuance of a NITU.

The City requests issuance of a NITU for Union Pacific Railroad Company's ("UP") Creamery Spur between approximately milepost 914.3 and approximately milepost 916.4 (the "Subject Line"). The Subject Line extends for a distance of approximately 2.1 miles and is located near University Drive between Priest Drive and Hayden Road, in Tempe, Maricopa County, Arizona. The Subject Line does not include the industrial spur that runs from approximately MP 915.0 to the end of the industrial spur at the Hayden Flour Mills. See Maps of the Subject Line, attached hereto as Attachments A and B.

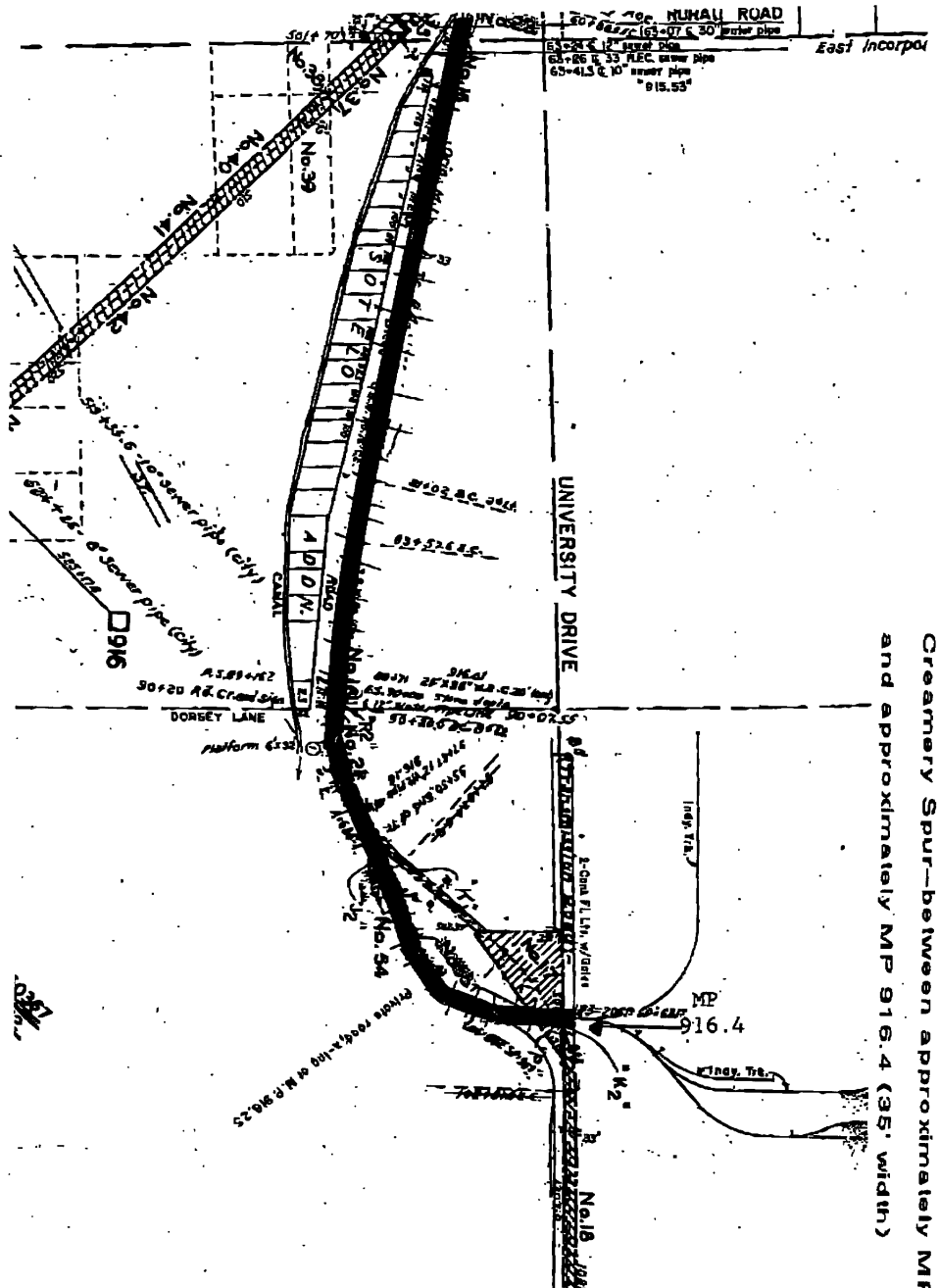
If you have any further questions, please feel free to contact me.

Respectfully submitted,

Tracie D. Spear  
**Attorney for City of Tempe**  
Attachments

**ENTERED**  
Office of Proceedings  
OCT 30 2003  
Part of  
Public Record





NOTICE OF INTERIM I-HAIL USE  
 Creamery Spur—between approximately MP 914.3  
 and approximately MP 916.4 (35' width)





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**FAX**

Date • October 29, 2003

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including  
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## Transmit To •

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From • Tracie D. Spear  
Secretary •Phone • 202-778-9390  
Phone •

Client/Matter Name	Client/Matter Number	Attorney Number
Phoenix	0306335.0100	3609

COMMENTS: Please see attached.



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